

SCANNED

DUANE MORRIS LLP

Gregory P. Gulia
1540 Broadway
New York, New York 10036-4086
Tel.: (212) 692-1000
Fax: (212) 692-1020
And by: Edward M. Cramp (prospective *pro hac vice*)
Michelle Hon (prospective *pro hac vice*)

Attorneys for MP3TUNES and MICHAEL ROBERTSON

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, INC.; CAROLINE
RECORDS, INC.; EMI CHRISTIAN MUSIC
GROUP INC.; PRIORITY RECORDS LLC;
VIRGIN RECORDS AMERICA, INC.;
BEECHWOOD MUSIC CORP.; COLGEMS-EMI
MUSIC INC.; EMI APRIL MUSIC INC.; EMI
BLACKWOOD MUSIC; EMI FULL KEEL
MUSIC; EMI GOLDEN TORCH MUSIC CORP.;
EMI LONGITUDE MUSIC; EMI VIRGIN
MUSIC, INC.; EMI VIRGIN SONGS, INC.;

Plaintiffs,

-against-

MP3TUNES, LLC and MICHAEL ROBERTSON

Defendants.

Civil Action No. 07-CV-9931(WHP)

**NOTICE OF MOTION FOR
ADMISSION *PRO HAC VICE*
OF MICHELLE ANN HON**


FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
JAN 31 PM 3:21

PLEASE TAKE NOTICE that, upon the annexed Declaration of Gregory P. Gulia on January 30, 2008, defendant MP3TUNES, LLC and Michael Robertson will move this Court before the Honorable William H. Pauley, III, at the United States District Court, 500 Pearl Street, New York 10007, for an order pursuant to Local Civil Rule 1.3(c) granting the admission *pro hac vice* of

Michelle Ann Hon.
Duane Morris LLP
101 West Broadway
Suite 900
San Diego, CA 92101-8285
Tel.: (619) 744-2201
Fax: (619) 889-8296
MHon@duanemorris.com

to practice before this Court in the above captioned action. Michelle Ann Hon is a member in good standing of the Bar of the State of California. There are no pending disciplinary proceedings against Michelle Ann Hon in any State or Federal court.

Dated: New York, New York
January 30, 2008



GREGORY P. GULIA

CERTIFICATE OF SERVICE

This is to certify that I caused the foregoing Notice of Motion for Admission *Pro Hac Vice* of Michelle Ann Hon, Declaration of Gregory P. Gulia in Support of Motion for Admission *Pro Hac Vice* of Michelle Ann Hon, and Proposed Order for Admission *Pro Hac Vice* of Michelle Ann Hon to be served on the following individuals by first class mail:

Andrew Harrison Bart
Jenner & Block LLP (NYC)
919 Third Avenue, 37th Floor
New York, NY 10022

Steven Bernard Fabrizio
Brian Hauck
Jenner & Block LLP
601 Thirteenth Street, N.W., Suite 1200 South
Washington, DC 20005

This the 30th day of January, 2008.

A handwritten signature in black ink, appearing to read 'G. Gulia', is written over a horizontal line.

GREG P. GULIA

DUANE MORRIS LLP

Gregory P. Gulia

1540 Broadway

New York, New York 10036-4086

Tel.: (212) 692-1000

Fax: (212) 692-1020

And by: Edward M. Cramp (prospective *pro hac vice*)

Michelle Hon (prospective *pro hac vice*)

Attorneys for MP3TUNES and MICHAEL ROBERTSON

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X

CAPITOL RECORDS, INC.; CAROLINE
RECORDS, INC.; EMI CHRISTIAN MUSIC
GROUP INC.; PRIORITY RECORDS LLC;
VIRGIN RECORDS AMERICA, INC.;
BEECHWOOD MUSIC CORP.; COLGEMS-EMI
MUSIC INC.; EMI APRIL MUSIC INC.; EMI
BLACKWOOD MUSIC; EMI FULL KEEL
MUSIC; EMI GOLDEN TORCH MUSIC CORP.;
EMI LONGITUDE MUSIC; EMI VIRGIN
MUSIC, INC.; EMI VIRGIN SONGS, INC.;

Plaintiffs,

-against-

MP3TUNES, LLC and MICHAEL ROBERTSON

Defendants.

-----X

Civil Action No. 07-CV-9931(WHP)

**DECLARATION OF
GREGORY P. GULIA
IN SUPPORT OF MOTION
FOR ADMISSION
PRO HAC VICE OF
MICHELLE ANN HON**

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

GREGORY P. GULIA, under penalty of perjury, hereby declares:

1. I am a partner of the firm Duane Morris LLP, counsel for defendants

MP3TUNES, LLC and MICHAEL ROBERTSON in the above-captioned action. I am fully

familiar with the facts contained herein. I submit this motion, pursuant to Local Civil Rule 1.3(c), for an order admitting *pro hac vice* Michelle Ann Hon to practice before this Court in the above-captioned action.

2. I am a member in good standing of the bar of the State of New York and am admitted to the bar of the United States District Court for the Southern District of New York. I am in good standing with this court.

3. Michelle Ann Hon is a member in good standing of the State Bar of California. An original Certificate of Good Standing issued by the State Bar of California within the last thirty days is annexed as Exhibit A.

4. I have found Michelle Ann Hon to be a skilled attorney and a person of integrity. She is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.

5. I respectfully submit a proposed order granting the admission of Michelle Ann Hon *pro hac vice*, annexed as Exhibit B.

WHEREFORE, it is respectfully requested that this Court admit *pro hac vice* Michelle Ann Hon to practice before this Court in the above-captioned action.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
January 30, 2008



GREGORY P. GULIA



THE
STATE BAR
OF CALIFORNIA

180 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105-1639
TELEPHONE (415) 538-2000

January 23, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, MICHELLE ANN HON, #234492 was admitted to the practice of law in this state by the Supreme Court of California on December 9, 2004; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert
Custodian of Membership Records

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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CAPITOL RECORDS, INC.; CAROLINE	:	Civil Action No. 07-CV-9931(WHP)
RECORDS, INC.; EMI CHRISTIAN MUSIC	:	
GROUP INC.; PRIORITY RECORDS LLC;	:	
VIRGIN RECORDS AMERICA, INC.;	:	
BEECHWOOD MUSIC CORP.; COLGEMS-EMI	:	
MUSIC INC.; EMI APRIL MUSIC INC.; EMI	:	[PROPOSED] ORDER FOR
BLACKWOOD MUSIC; EMI FULL KEEL	:	ADMISSION <i>PRO HAC VICE</i>
MUSIC; EMI GOLDEN TORCH MUSIC CORP.;	:	OF MICHELLE ANN HON
EMI LONGITUDE MUSIC; EMI VIRGIN	:	
MUSIC, INC.; EMI VIRGIN SONGS, INC.;	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
MP3TUNES, LLC and MICHAEL ROBERTSON	:	
	:	
Defendants.	:	
-----X	:	

Upon consideration of the motion of Gregory P. Gulia, attorney for defendant
MP3TUNES, LLC and Michael Robertson, and said sponsor attorney's declaration in support of;

IT IS HEREBY ORDERED that

Michelle Ann Hon
Duane Morris LLP
101 West Broadway
Suite 900
San Diego, CA 92101-8285
Tel.: (619) 744-2201
Fax: (619) 889-8296
MHon@duanemorris.com

is hereby admitted *pro hac vice* to practice before this Court in the above-captioned action.

SO ORDERED:

January __, 2008

Honorable William H. Pauley, III
United States District Judge